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**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA,
SOUTHERN DIVISION**

LISA LIBERI, et al,

Plaintiffs,

vs.

ORLY TAITZ, et al,

Defendants.

CIVIL ACTION NUMBER:

8:11-cv-00485-AG (AJW)

**PLAINTIFFS OBJECTIONS TO
DEFENDANT LAW OFFICES OF
ORLY TAITZ'S MOTION TO
DISMISS and AMENDED MOTION
TO DISMISS, DOCKET NO.'S 376
and 377**

Date of Hearing: October 17, 2011
Time of Hearing: 10:00 a.m.
Location: Courtroom 10D

Plaintiffs, by and through their undersigned counsel, Philip J. Berg, Esquire files the within Evidentiary Objections and Objections to Defendant Law Offices of Orly Taitz ["L.O.O.T."] Motion to Dismiss ["MTD"], Docket No. ["DN"] 376 and Amended MTD, DN 377 for failure to follow the Federal Rules of Civil Procedure and this Court's Local Rules.

- 1 • L.O.O.T.'s MTD and Amended MTD does **not** comply with the *Fed.*
2 *R. Civ. P.* 10, 11, 11(b)(1), 11(b)(2) and 11(b)(3);
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4 • L.O.O.T.'s MTD and Amended MTD does **not** comply with the with
5 this Court's Local Rules ["L.R."] 7-3, 7-4, 7-6, 11-3.1.1, 11-3.8(a),
6 11-5.2, 11-6, 6-1 and L.O.O.T.'s Amended MTD is also in violation
7 of this Court's L.R. 11-3.2. Therefore, this Court should strike Taitz's
8 filing; *see L.R.* 7-4;
- 9
10 • L.O.O.T.'s MTD and Amended MTD were filed for an improper
11 purpose to further slander, libel and defame the Plaintiffs, waste
12 judicial resources, cost Plaintiffs unnecessary litigation expenses, and
13 to use as Press Releases which Orly Taitz posted all over the Internet;
14 and
- 15
16 • L.O.O.T.'s MTD and Amended MTD contains lies; false recitations
17 of the case; false recitations of the pleadings on file with this case;
18 false recitations of what was plead in Court filed documents; false
19 recitations as to why this case was filed; false allegations against the
20 Plaintiffs; and are an improper attempt to re-write the history of this
21 case.
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23 **A. FACTS:**

24 1. Plaintiffs filed suit due to Defendants invasion of privacy, selling of
25 confidential information, illegal access and distribution of Plaintiffs private data,
26 including but **not** limited to credit data, financial data, full Social Security
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1 numbers, dates of birth, address, family information, medical information, place of
2 birth, maiden names, mother's maiden names and other primary identifying
3 information. In addition, Defendant Orly Taitz and other Defendants used this
4 private data to harass, cyber-stalking, cyber-bully, cyber-harass and other torts the
5 Plaintiffs. As a direct result, Plaintiffs were severely injured and damaged.
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8 2. Peter Cook, Esquire, Attorney for the Law Offices of Orly Taitz,
9 brought to Plaintiffs attention that the Law Offices of Orly Taitz was **not** a legal
10 entity and therefore could **not** be sued.
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13 3. Mr. Cook then sought Leave of Court on or about the end of July
14 2011, to file a Motion to Dismiss the Law Offices of Orly Taitz. This Court
15 Granted Mr. Cook Leave to File the Motion to Dismiss, but encouraged Mr. Cook
16 to combine Defendant Yosef Taitz's and the Law Offices of Orly Taitz's Motion to
17 Dismiss. Mr. Cook failed to do so.
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20 4. Plaintiffs agreed to Stipulate to the Dismissal of Defendant the Law
21 Offices of Orly Taitz Without Prejudice, but with the agreement that the Law
22 Offices of Orly Taitz could be renamed should it be discovered it was in fact a
23 legal entity.
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1 5. Mr. Cook then sought Leave to File a Stipulated Agreement to
2 Dismiss the Law Offices of Orly Taitz, which this Court Granted on or about
3 August 3, 2011.
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5 6. Mr. Cook sent counsel for the Plaintiffs a Proposed Stipulation, in
6 PDF format so it could **not** be changed, Dismissing the Law Offices of Orly Taitz.
7 However, the Stipulation prepared by Mr. Cook was for Dismissal With Prejudice
8 so Plaintiffs would be precluded from renaming the Law Offices of Orly Taitz if it
9 was discovered it was in fact a legal entity. *See* the Declaration of Philip J. Berg,
10 Esquire filed concurrently herewith at pg. 4, ¶10.
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14 7. Mr. Berg responded to Mr. Cook on August 16, 2011 and asked for
15 two [2] corrections. One that the dismissal is without prejudice; and second, that
16 Plaintiffs could rename the Law Offices of Orly Taitz if it were discovered that it
17 was in fact a legal entity. Mr. Berg never heard back from Mr. Cook.
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20 8. A hearing took place in this Court on September 12, 2011. During
21 this hearing, which Orly Taitz was present for, the Court asked Mr. Berg if he was
22 familiar with Ethical violations and Media pertaining to a case. Mr. Berg
23 responded to the Court that yes he was.
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1 9. Defendant Orly Taitz left the courtroom and immediately began
2 posting false statements about the case and Plaintiffs' Counsel, Philip J. Berg,
3 Esquire and Gary Kreep.
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5 10. Thereafter, in the late evening of September 14, 2011, Defendant Orly
6 Taitz filed a Motion to Dismiss ["MTD"] on behalf of the Law Offices of Orly
7 Taitz. The grounds for their MTD were that the Law Offices of Orly Taitz was **not**
8 a legal entity.
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11 11. Instead of filing a proper Motion concentrating on the true issue,
12 Defendant Orly Taitz ["Taitz"] filed twenty-seven [27] pages of false statements
13 about the Plaintiffs; false allegations about the Plaintiffs; false recitations of this
14 case; numerous lies which contradicted Taitz's previous lies; and unauthenticated
15 documents, all of which were irrelevant, redundant, immaterial, impertinent, or
16 scandalous matter.
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20 12. Taitz then posted this filing all over the internet in approximately nine
21 [9] places on her website <http://www.orlytaitzesq.com> at:
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23 <http://www.orlytaitzesq.com/?p=25553>

24 http://www.orlytaitzesq.com/?attachment_id=25552

25 http://www.orlytaitzesq.com/?attachment_id=25551

26 http://www.orlytaitzesq.com/?attachment_id=25550

27 http://www.orlytaitzesq.com/?attachment_id=25549
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<http://www.orlytaitzesq.com/wp-content/uploads/2011/09/Lisa-Liberi-criminal-record-bankruptcy-record.pdf>

<http://www.orlytaitzesq.com/wp-content/uploads/2011/09/Liberi-v-Taitz-12.23.2010-pdf-memorandum-by-Judge-Robreno.pdf>

<http://www.orlytaitzesq.com/wp-content/uploads/2011/09/Liberi-v-TAaitz-10.10.2011-hearing-motion-to-dismiss-Law-offices.pdf>

<http://www.orlytaitzesq.com/wp-content/uploads/2011/09/declaration-of-Lisa-Liberi-first-5-digits-of-SSN-redacted-.pdf>

Approximately eight [8] places on her Facebook pages at:

<http://www.facebook.com/orlytaitz/posts/10150295924320975>

<http://www.facebook.com/dr.orly.taitz/posts/10150312895303950>

http://www.facebook.com/dr.orly.taitz?sk=app_9953271133

http://www.facebook.com/dr.orly.taitz?sk=app_45439413586

<http://www.facebook.com/dr.orly.taitz>

<http://www.facebook.com/orlytaitz?sk=wall>

<http://networkedblogs.com/n6vA1>

<http://networkedblogs.com/n6vA1?a=share&ref=nf>

And, on her *Before It's News* Media Page as a reporter at:

http://beforeitsnews.com/story/1101/559/submitted_to_Judge_Andrew_Guilford_in_Central_District_of_CA_today.html

13. Plaintiffs notified the Court of Defendant Taitz's improper use of the Court's docketing system. Plaintiffs also notified this Court that the date

1 calendared by Defendant Orly Taitz was an actual holiday and the Court had
2 closed since February 2011.

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4 14. Instead of contacting this Court's clerk to correct the date of hearing,
5 Defendant Orly Taitz re-filed all her false allegations, false statements, false
6 recitations of this case, false recitations of the Court's Rulings, etc., on September
7 16, 2011. *See* Docket No. 377. In addition, Taitz filed over the page limits as she
8 used font 12, instead of the required 14 font pursuant to this Court's local Rules
9 and her pleading fails to follow the Federal Rules of Civil Procedure and this
10 Court's Local Rules as outlined below.

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12 15. In further retaliation, harassment and cyber-stalking, Defendant Taitz
13 again created a post falsely accusing Plaintiffs of crimes; falsely accusing Plaintiffs
14 of harassing, defaming and slandering her; falsely accusing Plaintiffs of keeping
15 her from her Obama litigation; misrepresenting Orders of the Court;
16 misrepresenting Plaintiffs lawsuit; misrepresenting the Court filings; falsely
17 accusing Plaintiffs of preparing Complaints on behalf of those individuals who
18 filed against Orly Taitz for her wrong doings; inciting her supporters, followers
19 and readers against Plaintiffs, their spouses and their witnesses; listing private
20 information pertaining to Plaintiff's spouse, showing she has again conducted an
21 illegal background check; falsely accusing Plaintiffs witness and Plaintiff Liberi's
22 mother of sending thousands of emails (this is **not** the first time Taitz has gone
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1 after Plaintiff Liberi's mother), etc. Taitz posted this on her website at
2 <http://www.orlytaitzesq.com/?p=25592>: and all over her Facebook pages at:

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4 <http://www.facebook.com/dr.orly.taitz/posts/10150314194668950>

5 <http://www.facebook.com/dr.orly.taitz>

6 <http://www.facebook.com/orlytaitz?sk=wall>

7 http://www.facebook.com/dr.orly.taitz?sk=app_9953271133

8 <http://networkedblogs.com/n9Kno?a=share&ref=nf>

9 <http://networkedblogs.com/n9Kno>

10 http://www.facebook.com/dr.orly.taitz?sk=app_45439413586

11 <http://www.facebook.com/orlytaitz/posts/10150295924320975>

12 16. Taitz is using the Court's docketing system to further harass, post
13 false statements, false allegations, publish private data regarding Plaintiffs, cyber-
14 stalk, cyber-bully, cyber-harass Plaintiffs, incite against Plaintiffs witnesses;
15 invade Plaintiffs Privacy; and damage the Plaintiffs.
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17 17. L.O.O.T.'s MTD should **not** be considered by this Court. Plaintiffs
18 Objections are submitted to this Court with an express reservation of Plaintiffs
19 General Objections to L.O.O.T. MTD and without waiving any such General
20 Objections. As outlined below, Taitz and L.O.O.T.'S statements, opinions, false
21 recitations, false allegations, false characterizations and baseless statements are
22 devoid of any competent or admissible evidence. Further, these unnecessary
23 wastes of pages in Taitz and L.O.O.T.'s MTD are irrelevant, immaterial,
24 redundant, impertinent or scandalous matter.
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1 18. For these reasons, Plaintiffs Object to the Law Offices of Orly Taitz's
2 MTD and Amended MTD filed by Defendant Orly Taitz as follows:

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8 **B. PLAINTIFFS OBJECT TO L.O.O.T.'s MTD and AMENDED**
9 **MTD AS IT IS NOT COMPLIANT WITH THE FEDERAL**
10 **RULES OF CIVIL PROCEDURE or THIS COURT'S LOCAL**
11 **RULES:**

12 19. Defendant Orly Taitz as attorney for L.O.O.T. filed a MTD on
13 September 14, 2011. *See* Docket No. ["DN"] 376. Taitz's MTD was **not**
14 compliant with the pleading requirements of the Federal Rules of Civil Procedure
15 ["*Fed. R. Civ. P.*"] 10, failure to number her paragraphs; and Rule 11, as it was
16 submitted for an improper purpose in violation of *Fed. R. Civ. P.* 11(b)(1), contains
17 approximately twenty-five [25] pages of frivolous argument that does **not** pertain
18 to the Motion, to harass the Plaintiffs and make litigation expensive in violation of
19 *Fed. R. Civ. P.* 11(b)(2), and Taitz signed her pleadings knowing she had included
20 false statements, false allegations, false recitations, etc. in violation of *Fed. R. Civ.*
21 *P.* 11(b)(3).

22 20. Defendant Taitz's MTD on behalf of L.O.O.T. also violated this
23 Court's Local Rules ["*L.R.*"] 7-3 as Taitz failed to Confer with Plaintiffs' Counsel
24 prior to the filing of the Motion and failed to include a Certificate of Counsel; *L.R.*

1 7-4. Taitz failed to prepare and file a proper Notice of Motion; *L.R.* 7-5. Taitz's
2 Memorandum of Points and Authorities is **not** brief and contains approximately
3 twenty-five [25] pages of unnecessary bashing of Plaintiffs, false recitations of this
4 Case, of the Orders on File, of pleadings, etc., false allegations and statements
5 about Plaintiffs, and documents that were unauthenticated and impertinent,
6 irrelevant to the within Motion; *L.R.* 7-6 Declaration of Orly Taitz contesting that
7 L.O.O.T. is **not** a legal entity; *L.R.* 11-3.1.1 as Taitz used only twelve [12] point
8 font to exceed the page limits; *L.R.* 11-3.8(a) Taitz failed to include her bar
9 number; *L.R.* 11-5.2 even though Taitz's exhibits were unauthenticated, irrelevant
10 and immaterial, she failed to number them as required; *L.R.* 11-6 exceeds the page
11 limits had the proper font been used; and failed to properly Notice the Motion in
12 violation of this Court's *L.R.* 6-1. Therefore, this Court should strike Taitz's filing,
13 see *L.R.* 7-4.
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19 21. Taitz then filed an Amended Notice of Motion and MTD correcting
20 the hearing date. *See* DN 377. This pleading is worse than the first one. This
21 pleading is incompliant with the above rules outlined in paragraphs 19-20.
22 Therefore, Plaintiffs incorporate by reference paragraphs 19-20, as if fully set forth
23 here at length. In addition, Taitz failed to file this pleading on proper pleading
24 paper in violation with this Court's *L.R.* 11-3.2.
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22. Both of Taitz's pleadings, DN 376 and 377 fail to properly cite their cases, cite the names of the cases properly; cite the correct page numbers, etc. Taitz, as an attorney, her pleadings are sloppy, incompliant, hard to read, contain rhetoric that fails to pertain to this case and/or her MTD, and an embarrassment to the legal profession.

23. For these reasons, Defendant L.O.O.T.'s MTD and Amended MTD filed by Taitz must be stricken and **not** considered by the Court. And, Plaintiffs must be awarded Attorney Fees and costs.

C. PLAINTIFFS SPECIFIC OBJECTIONS:

24. Taitz's MTD [DN 376] and Amended MTD [DN 377], page 2, ¶1 "Later Berg stated, that he refuses to dismiss with prejudice."

PLAINTIFFS OBJECTIONS: Lack of Personal Knowledge; Speculation; Lacks Foundation; No Showing of Personal Knowledge, FRE 602; Inadmissible opinion testimony, FRE 701, et. seq; and Argumentative.

25. Taitz MTD [DN 376] and Amended MTD [DN 377], page 2, ¶1 "This is particularly true as Berg tends to sue not only the party to dispute but any and all entities and relatives of opponents, in this case relatives of individuals, who blew the whistle on Berg, Liberi and Ostella, plaintiffs herein..."

PLAINTIFFS OBJECTIONS: Irrelevant, FRE 401, 402; Speculation; Lack of Personal Knowledge; Speculation; Lacks Foundation; No Showing of Personal Knowledge, FRE 602; Inadmissible opinion testimony, FRE

1 701, et. seq.; Argumentative; misleading, immaterial, irrelevant, is an
2 improper characterization; and Hearsay, FRE 802, et seq.

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4 26. Taitz MTD [DN 376] and Amended MTD [DN 377], page 2, ¶2 “Berg
5 included in the original complaint as additional defendants Yosef Taitz, the
6 husband of attorney Orly Taitz, Caren Hale, wife of talk show host Ed Hale (Hale
7 case was moved to TX), Todd Sankey, son of investigator Neil Sankey. Berg
8 previously stipulated to dismissal of Mr. Taitz with a stipulation, that prior to
9 bringing him back into the case "the plaintiffs will seek a leave of court and a
10 decision by the court, that Plaintiffs have established evidence sufficient to support
11 a cognizable claim" against Mr. Taitz. (Exhibit 1)[sic] In violation of stipulation
12 and without a finding by this court, that Plaintiffs established such evidence Berg
13 joined Mr. Taitz as a defendant. With that in mind Defendants cannot agree to
14 dismissal without prejudice and a stipulation [sic] and the Plaintiffs refuse...”

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19 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Lack of Personal
20 Knowledge; Speculation; Lacks Foundation; No Showing of Personal
21 Knowledge, FRE 602; Inadmissible opinion testimony, FRE 701, et. seq.;
22 Argumentative; and Hearsay, FRE 802, et seq.

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24 **PLAINTIFFS OBJECTIONS TO EXHIBIT “1”:** Irrelevant and
25 Immaterial, FRE 401, 402; unauthenticated, FRE 901; Lack of Personal
26 Knowledge; and Hearsay, FRE 802. et seq.
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1 27. Taitz MTD [DN 376] and Amended MTD [DN 377], page 3, ¶1
2 “Additionally, previously in the interest of judicial economy, Orly Taitz, who is
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4 both an attorney and Doctor of Dental surgery, and represents both "Law offices of
5 Orly Taitz" and Orly Taitz, inc, [sic] her dental office, and asked for leave of court
6 to file one 12(b)6 [sic] motion to dismiss the complaint against both Law offices of
7
8 Orly Taitz and Orly Taitz, inc, [sic] her dental practice. Due to a docketing error by
9 the clerk of the court, this court erroneously believed, that Orly Taitz, inc [sic] filed
10 an appeal of the original AntiSLAPP [sic] motion. This error was corrected by the
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12 docketing clerk, however leave of court to file 12(b)6 [sic] motion on behalf of
13
14 Orly Taitz, inc [sic] was not granted yet. As such, not to be seen as engaged in
15 stalling, she is filing this motion on behalf of Law offices of Orly Taitz only.”

16 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Lack of Personal
17 Knowledge; Speculation; Lacks Foundation; No Showing of Personal
18 Knowledge, FRE 602; Assumes facts **not** in evidence; Inadmissible opinion
19 testimony, FRE 701, et. Seq.; Argumentative; and Hearsay, FRE 802, et seq.
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21 28. Taitz MTD [DN 376] and Amended MTD [DN 377], page 5, ¶1
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23 “...but who is currently assisting Berg, as well as their affiliated entities.”

24 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Lack of Personal
25 Knowledge; Speculation; Lacks Foundation; No Showing of Personal
26 Knowledge, FRE 602; Assumes facts **not** in evidence; Inadmissible opinion
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1 testimony, FRE 701, et. Seq.; Argumentative; misleading, immaterial,
2 irrelevant, is an improper characterization; and Hearsay, FRE 802, et seq.

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4 29. Taitz MTD [DN 376] and Amended MTD [DN 377], page 6, ¶1
5 “Three years ago Berg, Taitz and Berg's local co-counsel California attorney Gary
6 Kreep maintained similar civil rights legal actions. All three of them: Berg, Kreep
7 and Taitz maintain similar web sites, which contain pay-pal buttons allowing
8 donations by supporters. While Berg and Kreep did not bring new cases for about
9 two years, Taitz continued working in the field and brought new cases, with new
10 plaintiffs, new angles and legal theories and new explosive evidence. As such
11 media has called her a leader of the movement, featured her in thousands of TV,
12 radio and newspaper interviews in U.S. and around the world and supporters and
13 donors flocked to her. At the same time donations to Berg and Kreep fizzled.”
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18 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Lack of Personal
19 Knowledge; Speculation; Lacks Foundation; No Showing of Personal
20 Knowledge, FRE 602; Assumes facts not in evidence; Inadmissible opinion
21 testimony, FRE 701, et. Seq.; Argumentative; and Hearsay, FRE 802, et seq.

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23 30. Taitz MTD [DN 376] and Amended MTD [DN 377], page 6, ¶2
24 “Taitz had other concerns in regards to Ostella using the web site of foundation for
25 sales of T-shirts and other financial endeavors, where Ostella did not provide Taitz,
26 president of DOFF, with any accounting or revenues for DOFF. Taitz advised
27 Ostella, that she will be transferring to another web master. Instead of providing a
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1 smooth transfer Ostella locked Taitz out of the old web site for the foundation and
2 used the web site as well as list of donors to continuously seek donations, which
3 went to Ostella, not DOFF, Ostella also used the old website to denigrate Taitz and
4 promote competing attorney Berg. Taitz was forced to create a new web site and
5 lost significant amount of donations due to actions of Ostella. Taitz wrote to
6 attorney Berg and asked him to cease and desist providing patronage to Ostella,
7 who was diverting funds from Taitz and DOFF.”

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11 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Lack of Personal
12 Knowledge; Speculation; Lacks Foundation; No Showing of Personal
13 Knowledge, FRE 602; Assumes facts **not** in evidence; Inadmissible opinion
14 testimony, FRE 701, et. Seq.; Argumentative; misleading, immaterial,
15 irrelevant, is an improper characterization; and Hearsay, FRE 802, et seq.
16 Most of this statement is a lie and is falsified.

17 31. Taitz MTD [DN 376] and Amended MTD [DN 377], page 7, ¶12
18 “...Taitz also advised Berg, that she received a report from a licensed investigator
19 Sankey, that showed that Berg's assistant Lisa Liberi has a lengthy criminal record
20 with 27 charges and 10 felony convictions of forgery of documents and theft. Taitz
21 advised Berg, that some of the evidence, that Berg brought in his cases was
22 included by Taitz by reference in her case and she was concerned about the
23 veracity of those documents, considering Liberi's recent conviction of forgery. She
24 also advised Berg of danger to the public in Liberi's involvement in fund raising
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1 considering her convictions of grand theft. Berg never responded, though he later
2 confirmed receipt of the e-mail. Taitz started a new web site, where she advised
3 her supporters and donors, that the old web site was taken over by the former
4 volunteer web master Ostella and that any donations given to the old web site will
5 not benefit DOFF as Ostella replaced Taitz pay-pal account with her own private
6 account in connection to the pay-pal button on that old web site. Taitz also posted
7 on her web site a report by investigator Sankey, which contained true and correct
8 copy of Liberi's criminal record, that he lawfully obtained from reputable databases
9 gathering records from reputable public sources, such as California Superior court
10 and bankruptcy court.”

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15 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Lack of Personal
16 Knowledge; Speculation; Lacks Foundation; No Showing of Personal
17 Knowledge, FRE 602; Assumes facts not in evidence; Inadmissible opinion
18 testimony, FRE 701, et. seq.; Argumentative; misleading, immaterial, is an
19 improper characterization; and Hearsay, FRE 802, et seq. Most of this
20 statement is a lie and is falsified.

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22 32. Taitz MTD [DN 376] and Amended MTD [DN 377], page 7, ¶2
23 “Within two weeks of publication Berg, Liberi and Ostella filed this legal action in
24 Pennsylvania, claiming defamation and invasion of privacy. In verified complaint
25 Plaintiffs attempted to create an impression that Liberi is a different person, an
26 individual, residing in PA and working in Berg's office, who was defamed by the
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1 allegations of criminal record. In December of 2010 at a motion hearing before
2 judge Robreno in Eastern District of PA during cross examination conducted by
3 Taitz, Liberi admitted, that she was indeed a convicted felon, who was convicted in
4 2008 in California, Ostella admitted, that she indeed locked Taitz out of the old
5 web site for DOFF and replaced Taitz pay-pal account with her own. (Exhibit 2
6 Memorandum by judge” page 8, “Robreno). Judge Robreno found Berg, Liberi and
7 Ostella "evasive on the stand" and "not believable as witnesses".”

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11 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Lack of Personal
12 Knowledge, FRE 602; Speculation; Lacks Foundation; No Showing of
13 Personal Knowledge, FRE 602; Assumes facts **not** in evidence; Inadmissible
14 opinion testimony, FRE 701, et. Seq.; Argumentative; misleading,
15 immaterial, is an improper characterization; and Hearsay, FRE 802, et seq.
16 Most of this statement is a lie and is falsified.

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18 **PLAINITFFS OBJECTIONS TO EXHIBIT “2”:** Irrelevant, Immaterial,
19 FRE 401, 402 and the statements of Taitz to the contents thereof is falsified
20 and untruthful.

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22 33. Taitz MTD [DN 376] and Amended MTD [DN 377], page 8, ¶2 “In
23 April of 2011 this case was transferred to CA and Taitz immediately filed an
24 AntiSLAPP motion to dismiss the complaint in its' entirety. While the AntiSLAPP
25 was pending, Plaintiffs filed a first amended complaint, doubling the original 86
26 page complaint to 172 page complaint and claiming that they need to adjust the
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1 complaint to CA statutes, even though the original complaint was based on CA
2 statutes.”

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4 “FAC contains 20 causes of action, claims #1-11 relate to LO.”

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6 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Lack of Personal
7 Knowledge, FRE 602; Speculation; Lacks Foundation; No Showing of
8 Personal Knowledge, FRE 602; Assumes facts **not** in evidence; Inadmissible
9 opinion testimony, FRE 701, et. seq.; and Argumentative;

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11 34. Taitz MTD [DN 376] and Amended MTD [DN 377], page 8, ¶3,
12 “**THE COMMUNICATIONS DECENCY ACTS IMMUNIZES TAITZ AND HER**
13 **AFFILIATED ENTITIES FROM LIABILITY...**Plaintiffs' 1st, 2nd, 3rd, 4th,
14 5th, 6th, 7th, 8th, 9th causes of action arise out of Taitz alleged publication and re-
15 publication of a report prepared by licensed investigator Sankey for internet
16 magazine WorldNetdaily [sic] editor Bob Unruh and cc-ed to attorney Taitz.”
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20 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Speculation;
21 Lacks Foundation; Assumes facts **not** in evidence; misleading, immaterial,
22 irrelevant, is an improper characterization; and Argumentative; Moreover,
23 Taitz false statements, lies to this Court that Sankey only “cc’ed [sic] to
24 Attorney Taitz” is contacted by Taitz own documents and court filings.

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26 35. Taitz MTD [DN 376] and Amended MTD [DN 377], page 8 ¶4 and
27 pages 9-10 “This case was filed only a couple of weeks after publication by Taitz
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1 of the report...Communications Decency Act...any and all publications made by
2 Taitz based on information...obtained by Sankey...Taitz affiliated parties”
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4 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Speculation;
5 Lacks Foundation; Assumes facts **not** in evidence; misleading, immaterial, is
6 an improper characterization; and Argumentative; These pages and
7 paragraphs are dishonest and contradict Taitz own statements in her filing
8 appearing as DN 283 filed July 11, 2011 at pages 15-19 and Taitz filing, DN
9 280 filed July 11, 2011 at pages 15-17.
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11 36. Taitz MTD [DN 376] and Amended MTD [DN 377], page 10, ¶2 and
12 page 11 “**CLAIMS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, ARE BARRED BY PRIVILEGE**
13 **AFFORDED BY CALIFORNIA CIVIL CODE SECTION 47...**”
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15 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Speculation;
16 Lacks Foundation; misleading, and is an improper characterization;
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18 37. Taitz MTD [DN 376] and Amended MTD [DN 377], page 11, ¶2,
19 “...with the sixth cause of action, as it is representative of the modus operandi of
20 the Plaintiffs and their attorneys and is a financial centerpiece of the complaint.”
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23 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Lack of Personal
24 Knowledge, FRE 602; Speculation; Lacks Foundation; No Showing of
25 Personal Knowledge, FRE 602; Assumes facts **not** in evidence; Inadmissible
26 opinion testimony, FRE 701, et. seq.; misleading, immaterial, is an improper
27 characterization; and Argumentative;
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2 38. Taitz MTD [DN 376] and Amended MTD [DN 377], page 11, ¶2,
3 pages 12-14 “Plaintiffs are suing for alleged violation of California IPA Cal Civ.
4 Code §1798.85, however Plaintiffs are egregiously defrauding the
5 court...Attorneys Berg and Krep are egregiously defrauding this court by cutting
6 and pasting a quotation in regards to statutory penalty from an unrelated
7 statute...This is not a simple omission, this is egregious and malicious fraud in
8 light of the following facts: a. in their original complaint Plaintiffs sued under Ca
9 statute §1798.81. In her prior AntiSLAPP [sic] motion Taitz disclosed to the court,
10 that §1798.81 relates to governmental agencies...Plaintiff are improperly suing
11 defendants, who are not governmental agencies under that statute, so Plaintiffs
12 filed an amended complaint, where they sued under §1798.85, which does not have
13 any statutory damages but cut and pasted penalty from a different statute...b. in the
14 9th and 10th causes of action Liberi admits to being a felon on probation and
15 claims, that complaints brought by Taitz to her probation status hearing were
16 improper...contains a fact pattern of her engaging in the same activity: cutting and
17 pasting parts of documents and creating "documents"...Is it plausible to believe,
18 that somebody would read this report and would want to assume an identity of an
19 individual, who was recently convicted...Why would anyone want to attempt to
20 assume her identity?...If one were to assume, that there is somewhere an insane
21 person...however Liberi was in bankruptcy, there was nothing to steal and the

1 complaint does not plead any facts...Liberi personally entered her two unredacted
2 full social security numbers in her two applications for bankruptcy in California in
3 2000 and 2002...(Exhibit 3) Additionally, Liberi has provided her full unredacted
4 social security number in her declaration...(Exhibit 4). If arguendo there was ever
5 any damage from published full social security number, it is more plausible, that it
6 would be from such posting in the records readily available to the public for 10
7 years and not from a blog posting available for a day or two...Based on the
8 fact...violation of statute, defendants respectfully request to dismiss this cause of
9 action...Additionally, Defendants believe that actions of Plaintiffs' attorneys in
10 cutting and pasting civil penalty of unrelated statute to fraudulently claim...Lisa
11 Liberi as a main witness for Berg..."

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16 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Lack of Personal
17 Knowledge, FRE 602; Speculation; Lacks Foundation; No Showing of
18 Personal Knowledge, FRE 602; Assumes facts **not** in evidence; Inadmissible
19 opinion testimony, FRE 701, et. seq.; Argumentative; Hearsay, FRE 802, et
20 seq; misleading, immaterial, is an improper characterization; and contains
21 falsified recitations of this Case, what is plead in pleadings, what is on file
22 with this Case, and false accusations, allegations and statements.

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25 **PLAINTIFFS OBJECTIONS TO EXHIBITS “3” and “4”:** Irrelevant and
26 Immaterial, FRE 401, 402; unauthenticated, FRE 901; Lack of Personal
27 Knowledge; and Hearsay, FRE 802. et seq.

1 39. Taitz MTD [DN 376] and Amended MTD [DN 377], pages 15-16
2 “Second part of this cause of action is invasion of privacy, which Plaintiffs repeat
3 in several following causes of action. For invasion of privacy...If Plaintiffs allege a
4 claim for invasion of privacy under a common law theory of intrusion upon
5 seclusion, plaintiff must establish: "(1.) intrusion upon a private place,
6 conversation or matter...California and sister states would drown in law suits from
7 felons...this claim needs to be dismissed against all defendants...”
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11 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Lack of Personal
12 Knowledge, FRE 602; Speculation; Lacks Foundation; No Showing of
13 Personal Knowledge, FRE 602; Assumes facts **not** in evidence; Inadmissible
14 opinion testimony, FRE 701, et. Seq.; Argumentative; misleading,
15 immaterial, is an improper characterization; Hearsay, FRE 802, et seq. and
16 contains falsified recitations of this Case, what is plead in pleadings, what is
17 on file with this Case, and false accusations, allegations and statements.
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19 40. Taitz MTD [DN 376] and Amended MTD [DN 377], page 16-17,
20 “Plaintiffs allege public disclosure of private facts...While clearly Plaintiffs
21 wanted to hide from the public the fact, that Ostella locked Taitz out of the website
22 of her foundation and that Liberi has a criminal record of forgery and theft...is
23 clearly in public interest in order to warn the public, that an individual with such
24 record has access to nation-wide donations drive...Taitz had to apprise the public
25 that their donations given to DOFF on old web site did not go to DOFF, as Ostella
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1 locked Taitz out and replaced the pay-pal account connected to the old web site.
2 This is clearly the matter of public interest... action needs to be dismissed against
3 all defendants.”
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5 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Lack of Personal
6 Knowledge, FRE 602; Speculation; Lacks Foundation; No Showing of
7 Personal Knowledge, FRE 602; Assumes facts **not** in evidence; Inadmissible
8 opinion testimony, FRE 701, et. Seq.; Argumentative; misleading,
9 immaterial, is an improper characterization; Hearsay, FRE 802, et seq.; and
10 contains falsified recitations of this Case, what is plead in pleadings, what is
11 on file with this Case, and false accusations, allegations and statements.
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13 41. Taitz MTD [DN 376] and Amended MTD [DN 377], pages 17-18 “In
14 claim #3 Plaintiffs allege false light... Again, the plaintiff is talking about Taitz
15 posting a report about her criminal record and about actions of Ostella locking
16 Taitz out of her web site. The Plaintiffs never plead any specific facts, that are not
17 true... The fact, that Liberi s criminal record was published, was not offensive, as
18 it was a truthful statement... and it definitely did not lower her reputation, as her
19 reputation was exactly that, a reputation of a convicted document forger...Lastly,
20 Plaintiffs did not plead any plausible facts, that would show malice on part of
21 Taitz... needs to be dismissed against all defendants.”
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26 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Lack of Personal
27 Knowledge, FRE 602; Speculation; Lacks Foundation; No Showing of
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1 Personal Knowledge, FRE 602; Assumes facts **not** in evidence; Inadmissible
2 opinion testimony, FRE 701, et. Seq.; Argumentative; misleading,
3 immaterial, irrelevant, is an improper characterization; Hearsay, FRE 802, et
4 seq; and contains falsified recitations of this Case, what is plead in
5 pleadings, what is on file with this Case, and false accusations, allegations
6 and statements.

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8 42. Taitz MTD [DN 376] and Amended MTD [DN 377], pages 18-19 “In
9 claim #4 Plaintiffs allege that defendants’ publication... Liberi and Ostella are not
10 movie stars, not beauty queens. Prison mug shot of Lisa Liberi did not make any
11 product more appealing... There is nothing unique or identifiable about either
12 Liberi or Ostella that would lend to a cognizable right of publicity... In reality, the
13 opposite is true. Liberi used likeness and trade mark of Taitz's not for profit
14 foundation and solicited donations, while Liberi and Berg benefitted from those
15 actions of Ostella, as she locked Taitz out of her old web site and used that web
16 site to promote law office of Berg. This will be addressed in cross complaint
17 against the defendants... to be dismissed against all defendants.”
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22 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Lack of Personal
23 Knowledge, FRE 602; Speculation; Lacks Foundation; No Showing of
24 Personal Knowledge, FRE 602; Assumes facts **not** in evidence; Inadmissible
25 opinion testimony, FRE 701, et. Seq.; Argumentative; misleading,
26 immaterial, is an improper characterization; Hearsay, FRE 802, et seq.; and
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1 contains falsified recitations of this Case, what is plead in pleadings, what is
2 on file with this Case, and false accusations, allegations and statements.

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4 43. Taitz MTD [DN 376] and Amended MTD [DN 377], pages 19- 20
5 “Plaintiffs allege violation of section 1798.53 of California Information privacy
6 Act (IPA)... 1. **they did not show, that the information was not otherwise**
7 **public...** as evidenced on the face of the report... **Plaintiffs did not plead any**
8 **facts to show, that Taitz knew of should have known...** to be dismissed against
9 all defendants.”
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13 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Lack of Personal
14 Knowledge, FRE 602; Speculation; Lacks Foundation; No Showing of
15 Personal Knowledge, FRE 602; Assumes facts **not** in evidence; Inadmissible
16 opinion testimony, FRE 701, et. Seq.; Argumentative; misleading,
17 immaterial, is an improper characterization; Hearsay, FRE 802, et seq; and
18 contains falsified recitations of this Case, what is pled in pleadings, what is
19 on file with this Case, falsification of what the evidence recites and shows;
20 and false accusations, allegations and statements.

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22 44. Taitz MTD [DN 376] and Amended MTD [DN 377], pages 20-22 “In
23 the seventh claim plaintiffs allege three causes of action... This case revolves
24 around publication made by defendants regarding behavior of the Plaintiffs. The
25 complaint is void of any facts, that would show defendants ever following or
26 harassing any of the defendants... Taitz, also apprised her supporters of the hearing
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1 in this case and pleadings submitted. All of the publications represented matter of
2 public concern... there is no credible fact plead by the Plaintiffs to show, that the
3 Plaintiffs were afraid for their lives... claiming that Taitz called for political
4 purging of Liberi and Ostella, "Taitz openly threatened to destroy Liberi and get
5 rid of her and have Liberi's children professionally kidnapped", none of these
6 allegations was substantiate, none was credible or in any way plausible. It is more
7 plausible, that this is a product of criminal mind of Liberi, who is measuring
8 people around her by her standards, who was the one concocting these pleadings,
9 and who included those outlandish slanderous statements without any credibility
10 and plausibility in order to retaliate against an attorney, who outed her and
11 disclosed to the public her recent serious convictions... Further, the allegation that
12 some unspecified "supporter" of Taitz... action should be dismissed against all
13 defendants”

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20 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Lack of Personal
21 Knowledge, FRE 602; Speculation; Lacks Foundation; No Showing of
22 Personal Knowledge, FRE 602; Assumes facts **not** in evidence; Inadmissible
23 opinion testimony, FRE 701, et. Seq.; Argumentative; misleading,
24 immaterial, is an improper characterization; Hearsay, FRE 802, et seq; and
25 contains falsified recitations of this Case, what is plead in pleadings, what is
26 on file with this Case, and false accusations, allegations and statements.

1 45. Taitz MTD [DN 376] and Amended MTD [DN 377], pages 22-23
2 “Plaintiffs allege defamation per se, slander and libel per se... They are talking
3 about the publication by the defendants, but did not specify any specific fact,
4 which would actually be wrong... Moreover, during December 20, 2010 hearing
5 Liberi and Ostella admitted that Liberi indeed had felony convictions in 2008 and
6 Ostella locked Taitz out of the website for her foundation and replace Taitz pay-pal
7 account with her own... Even, if arguendo some minor part of the report was not
8 correct, Plaintiffs did not plead any facts to show, that defendants knew that any
9 part of the report was not correct and intentionally published incorrect
10 information...”
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15 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Lack of Personal
16 Knowledge, FRE 602; Speculation; Lacks Foundation; No Showing of
17 Personal Knowledge, FRE 602; Assumes facts **not** in evidence; Inadmissible
18 opinion testimony, FRE 701, et. Seq.; Argumentative; misleading,
19 immaterial, is an improper characterization; Hearsay, FRE 802, et seq; and
20 contains falsified recitations of this Case, false recitations of testimony; false
21 recitations of what is plead in pleadings, what is on file with this Case, and
22 false accusations, allegations and statements.
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25 46. Taitz MTD [DN 376] and Amended MTD [DN 377], pages 24-26 “In
26 claim #10 Plaintiffs allege malicious prosecution cause of action is entirely based
27 upon Defendants’ filing of a motion for Emergency Revocation of probation
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1 against Liberi in San Bernardino...by virtue of filling it Liberi confirms, that she
2 indeed was a convicted felon... It shows, that for two and a half years Plaintiffs
3 harassed defendants with a totally frivolous bogus complaint, claiming
4 defamation... draft pleadings and with her as his assistant conducted a nationwide
5 donations drive...where Berg and Liberi attempted to create an impression, that
6 Liberi was a different Lisa Liberi, who worked in Berg's office in Pennsylvania,
7 not a convicted felon..."

11 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Lack of Personal
12 Knowledge, FRE 602; Speculation; Lacks Foundation; No Showing of
13 Personal Knowledge, FRE 602; Assumes facts **not** in evidence; Inadmissible
14 opinion testimony, FRE 701, et. Seq.; Argumentative; misleading, is an
15 improper characterization; and Hearsay, FRE 802, et seq.; and contains
16 falsified recitations of this Case, false recitations of testimony; false
17 recitations of what is plead in pleadings, what is on file with this Case, and
18 false accusations, allegations and statements.

20 47. Taitz MTD [DN 376] and Amended MTD [DN 377], pages 26-27 "In
21 eleventh claim the Plaintiffs allege abuse of process..."

24 **PLAINTIFFS OBJECTIONS:** Irrelevant, FRE 401, 402; Speculation;
25 Lacks Foundation; misleading, is an improper characterization; and
26 Argumentative.

